

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVERLIGHT ELECTRONICS CO., LTD.,
and EMCORE CORPORATION,

Plaintiffs and
Counter-Defendants,

Civil Action No.12-cv-11758
HONORABLE GERSHWIN A. DRAIN

v.

NICHIA CORPORATION, and
NICHIA AMERICA CORPORATION,

Defendants and
Counter-plaintiffs,

v.

EVERLIGHT AMERICAS, INC.,

Defendants.

**ORDER DENYING NICHIA'S MOTION FOR LEAVE TO FILE SUR-REPLY IN
OPPOSITION TO EVERLIGHT'S MOTION TO COMPEL SUPPLEMENTAL
RESPONSES TO INTERROGATORY NO. 8 AND REQUESTS FOR ADMISSION NOS.
1-16 [#132] AND GRANTING EVERLIGHT'S MOTION TO STRIKE EXHIBIT A TO
NICHIA'S MOTION FOR LEAVE TO FILE A SUR-REPLY [#136]**

Presently before the Court is Nichia's Motion for Leave to File Sur-Reply in Opposition to Everlight's Motion to Compel, filed on August 23, 2013. Also, before the Court is Everlight's Motion to Strike Exhibit A to Nichia's Motion for Leave to File Sur-Reply, filed on August 26, 2013. Exhibit A is Nichia's Sur-Reply in Opposition to Everlight's Motion to Compel. Upon review of the parties' present motions, the Court finds that Nichia has failed to demonstrate good cause for granting leave to file a Sur-Reply and Everlight has demonstrated good cause for striking Exhibit A to Nichia's Motion for Leave to File Sur-Reply.

Accordingly, Nichia's Motion for Leave to File Sur-Reply in Opposition to Everlight's Motion to Compel [#132] is DENIED.

Everlight's Motion to Strike Exhibit A to Nichia's Motion for Leave to File Sur-Reply [#136] is GRANTED. Exhibit A to Dkt. No. 132 is hereby STRICKEN.

SO ORDERED.

Dated: August 28, 2013

/s/Gershwin A Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE